

ON April 18, 2016 I (Paul Folsome) was served with paperwork as a defendant from Solomon Oludamisi Ajidade and Adenike Honorable Ajidade was (the parents of Matthew Ajidade) Case. Shortly after receiving the notice being a defendant I mistakenly misplaced the notice of being me as a defendant. In so doing I was unable to respond to the accusation as a defendant. There was no indication of admitting to any of the accusation that was being accused.

Motion To Open Default

Comes now PAUL FOLSOME Defendant in the above-styled case and moves this Court pursuant to Fed R. Civ P. 55 and 60 to open the default judgment and shows this Court as follows:

Pursuant to Federal Rule of Civil Procedures 55(c) "The Court may set aside an entry of default for good cause, and it may set aside a default judgment under Rule 60(b)." A Court may set aside a default judgment if the defendant can show that he or she acted promptly to correct the default, and that setting aside the default would not prejudice the plaintiff. Consider such factors as whether the default was willful, whether setting aside the default would prejudice the adversary, and whether the defaulting party presents a meritorious defense. *Companio Interamericana Export-Import v. Compania Dominicana de Aviacion*, 88 F.3d 948, 951 (11th Cir. 1996) Other factors that may be considered include whether the public interest is implicated, where there is significant financial loss to the defaulting party, and whether the defaulting party acted promptly to correct the default. *Id.*

ON or about April 18, 2016 I was served with the Complaint. As a former employee of the Chatham County Sheriff's Department, I was entitled to be indemnified according to the Chatham County Code. In spite of the Code stating that I would be provided Counsel on or about April 20, 2016, I received a letter from

from Chatham County dated April 18, 2016 that I would be not be represented by the county office. Upon receiving this information I sought to seek my own attorney. At the present time I am unable to do so. afford one. At no point am I ~~willing~~ was I willful responding to this complaint. At no point that I exhibited an intentional disrespect for the judicial process and have acted promptly upon receiving notice to correct the default.

The Plaintiffs will suffer no prejudice by having this default opened as their case includes Shotgun pleading against me. At no point is my name specifically mentioned outside of identifying me as a party. The plaintiffs did not identify or describe one specific act I committed. As the Complaint

The actions that give rise to this claim took place on or about January 1, 2015. At all relevant times in this in this complaint, I followed all procedures outlined in my employee manual. At no point did I span Mr. Ajibade or do anything to him that would have caused his death.

Wherefore, I ask that this Court open the default and direct the clerk to file my answer.

This 31st day of May 2016

Paul T. Folsome
Paul T. Folsome

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